

**AN ORDINANCE
BY TRANSPORTATION COMMITTEE**

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE III, DIVISION 7, OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, ON BEHALF OF THE DEPARTMENT OF AVIATION GROUND TRANSPORTATION DIVISION, FOR THE PURPOSE OF RESTRUCTURING AND INCREASING THE FEES THE CITY ASSESSES THE AIRPORT'S COMMERCIAL GROUND TRANSPORTATION OPERATORS; AND FOR OTHER PURPOSES.

WHEREAS, Hartsfield-Jackson Atlanta International Airport (the "Airport") is the world's busiest airport, responsible for facilitating the movement of 88 million passengers in 2009; and

WHEREAS, the Airport is working on a multi-billion dollar expansion project, which includes an International Terminal, and the enhancement of the nearly 30 year-old Central Passenger Terminal Complex; and

WHEREAS, the Airport's projects will increase its capacity and efficiency and require greater operational flexibility in order to meet the growing and evolving needs of the traveling public; and

WHEREAS, Chapter 22, Article III, Division 7, Section 22-202 ("§22-202") of the Code of Ordinances of the City of Atlanta, sets forth the schedule of fees ("Fees") the City assesses Airport commercial ground transportation operators; and

WHEREAS, the Fees have not been adjusted in more than 20 (twenty) years and, currently, the revenues received from such Fees are not sufficient to support the Department of Aviation's Ground Transportation Division; and

WHEREAS, the City engaged a firm to analyze the current Fees and to recommend appropriate user fees to cover operating cost; and

WHEREAS, accordingly, the firm has recommended the City restructure and increase the Fees in order to eliminate the subsidy provided by the City and to appropriately cover the costs of operating the Department of Aviation's Ground Transportation Division; and

WHEREAS, the Airport has implemented an Automatic Vehicle Identification system to track, manage and collect fees to recover operating costs and create a more efficient ground transportation operation by reducing roadway congestion and promoting environmental sustainability; and

WHEREAS, accordingly, the City desires to restructure and increase the Fees to appropriately cover the costs of operating the Department of Aviation's Ground Transportation Division.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That Chapter 22, Article III, Division 7, Subdivision 1, Section 22-201 of the Code of Ordinances of the City of Atlanta, Georgia, be repealed in its entirety and replaced with the following:

Sec. 22-201. Definitions.

Automated Vehicle Identification (AVI) Tag means a transponder device issued by the Airport to each commercial ground transportation provider for each motor vehicle in its fleet utilizing the airport system. AVI Tags are used by the airport to record the number of trips, dwell time of each commercial vehicle and to assess fees.

Bus means any vehicle with a designed seating capacity of not less than 23 passengers.

Commercial ground transportation operator means any individual, taxicab, shared-ride shuttle or limousine company, including its drivers, employees, and representatives engaged in commercial ground transportation services using airport roadways or operating motor vehicles upon the airport for the purpose of making a profit.

Courier Vehicle means any motorized vehicle used to transport small packages, luggage or similar items to and from the airport, provided that such vehicle shall not have an overall length greater than 20 feet, and shall be clearly marked in permanent lettering as to the name of the company holding the permit to operate the vehicle.

Courtesy Vehicle means any motorized vehicle used to transport persons to and from the airport without a direct fee being paid by the persons transported for the services. The overall length of a courtesy vehicle shall not be greater than 25 feet, and each vehicle shall clearly display in permanent lettering the name of the hotel or parking company for which the service is being rendered.

Cruising means driving around the airport terminal roadways with the apparent purpose of soliciting patrons.

Destination means an exact and separate place, point, or address.

Destination company means any company or individual engaged in the business of arranging transportation to or from the airport for groups of 10

or more persons at any one time where the designated meeting area is inside the airport.

Driver means an individual granted permission by the aviation general manager to drive or operate a commercial ground transportation service at the airport.

Driver Identification Badge means the badge issued by the aviation general manager authorizing an individual to operate a commercial ground transportation service at the airport.

Ground transportation center means the area designated by the aviation general manager for queuing, loading, and holding of commercial ground transportation operators, courtesy vehicles, limousines, non-commercial operators, off-airport operators, taxis, shared-ride shuttles or vans.

Group permit means a written authorization issued by the aviation general manager to a destination company and/or any commercial ground transportation operator granting access to the airport for the purpose of meeting a group of 10 persons or more.

Limousine means any motor vehicle that meets the manufacturer's specifications for a luxury limousine with a designed seating capacity for no more than nine passengers with a minimum of five seats located behind the operator of the vehicle and which does not have a door at the rear of the vehicle designed to allow passenger entry or exit. No vehicle shall be permitted to be operated both as a taxicab and as a limousine.

Limousine Stretch means a sedan with a wheelbase that has been extended not less than 12 inches from its original length and has a rated seating capacity of 15 passengers or less, including the driver, and is approved by the aviation general manager for use as a stretch limousine

Limousine Service means a passenger transportation service operated for hire on a pre-arranged basis that uses a minimum of three luxury sedans, or one luxury sedan and one stretch limousine, in the operation of the service.

Local Airport Taxicab means a taxicab which is authorized by permit to pick up passengers by prior arrangement at a location designated by the aviation general manager and to carry passengers to local destinations not more than five miles from the airport, which destinations are within the corporate limits of College Park, Hapeville, East Point, Forest Park, Riverdale or within unincorporated South Fulton County and North Clayton Count.

Luxury Sedan means a motor vehicle that is designated by the manufacturer as a full-size sedan that has at least four doors; a rated

seating capacity of six passengers or less, including the driver; whose interior and exterior, including all parts, features, appointments, equipment and accessories, are in excellent condition both in operation and in appearance; and is approved by the aviation general manager for use as a luxury sedan.

Metro Area means the area within the counties of Fulton, Clayton, Dekalb, Gwinnett, Cobb, Henry, Douglasville, Fayette, Rockdale, and Forsyth.

Non-commercial Operators means schools, universities, non-profit organizations, and governmental units including local, state, and federal agencies conducting activities upon the airport premises and roadways.

On-Demand means a transportation service that has not been pre-arranged by airport patrons traveling from the airport to their destination.

Off-Airport Parking Operator means a parking operation that charges patrons a parking fee and transports patrons to and from the airport.

Permit means a written authorization issued by the aviation general manager to commercial ground transportation operators which grants the non-exclusive privilege of operating commercial ground transportation services and conducting certain business activities upon airport.

Prearranged Taxi Service means prior arrangements for taxi service from a particular taxicab company or driver by or on behalf of an individual.

Pre-Arranged means prior arrangements made by telephone, correspondence or other written communication for commercial ground transportation service from a particular ground transportation operator or driver by or on behalf of an individual.

Rules and Regulations mean the Ground Transportation Rules and Regulations established by the aviation general manager.

Schedule of Charges means the Hartsfield-Jackson Atlanta International Airport Ground Transportation Schedule of Charges.

Seating Capacity means the number of passengers capable of being transported in a commercial ground transportation vehicle based upon the number of manufacturer installed seat belts, as required by law.

Shared-Ride Shuttle Service means the business of offering transportation for hire by a shuttle van or minibus vehicle on a scheduled or pre-arranged basis in which the entire service area is covered; a minimum fleet size of five vehicles are maintained; all drivers are

dressed in a uniform or item of apparel that clearly distinguishes them as an employee of the service for which they drive from all other authorized services; a twenty-four hour, seven day per week dispatching/reservation system is maintained; and a two-way communications system is maintained at all times.

Shared-Ride Vehicle means a van or minibus vehicle with a seating capacity of not less than nine or more than 25 passengers including the driver, with a designated luggage holding area located separately from passenger seating area, and is used for the transportation of persons in a Shared-Ride Shuttle Service.

Taxicab or taxi means any automobile that carries persons for a fare determined by a meter and which vehicle is subject to chapter 162, article II of this code.

Taxi Starter means the person authorized by the aviation general manager to assist taxi patrons in securing a taxicab in the taxi loading zone at the airport.

Van means any commercial passenger van with a designed seating capacity of not less than nine and not more than 15 passengers.

Vehicle Leasing means any transaction in which a vehicle is made available to a person for a period of at least one year under a lease agreement which gives title to such person or to such person's employer for the duration of such lease agreement and in which a particular vehicle is reserved at all times during the term of such lease agreement for the use of the lessee and no other.

SECTION 2: That Chapter 22, Article III, Division 7, Subdivision 1, Section 22-202 of the Code of Ordinances of the City of Atlanta, Georgia, be repealed in its entirety and replaced with the following:

Sec. 22-202. Fees.

This section shall not apply to Taxicabs as defined under chapter 162, article II of this Code.

This Ordinance shall govern the assessment of fees against commercial ground transportation operators at the airport:

(a) *Application Fee.* All applications for use of the airport under this division shall be accompanied by a payment of \$50.00 as an application processing fee.

(b) *Permit Fee.*

- (1) Commercial ground transportation operators shall pay an initial \$150.00 Permit Fee upon approval of the company's application for service and for the administrative function of processing a permit for the company's use of the airport roadways and ground transportation facilities.
- (2) Commercial ground transportation operators shall pay an annual Permit Renewal Fee in the amount of \$150.00 by December 30th of each year.
- (3) Any company that fails to renew its Permit by December 30th of each year shall be assessed a late fee in the amount of \$300.00.

(c) *Per Trip Fee.* Commercial ground transportation operators shall pay a Per Trip Fee for the privilege of operating upon the premises of the airport. Commercial ground transportation operators shall pay a fee each time a vehicle(s) enters the airport for the purpose of loading customers. Per Trip Fees shall be assessed according to the vehicle classification schedule set forth below.

(d) *Vehicle Classification Schedule.*

- (i) Class I Vehicles (maximum carrying capacity of up to 6 passengers):
 - a. \$1.00 for the first 60 minutes at the airport
 - b. \$1.00 for each additional 30 minutes at the airport
- (ii) Class II Vehicles (maximum carrying capacity of up to 14 passengers):
 - a. \$1.25 for the first 15 minutes at the airport
 - b. \$1.00 for each additional 30 minutes at the airport
- (iii) Class III Vehicles (maximum carrying capacity of up to 22 passengers):
 - a. \$1.50 for the first 30 minutes at the airport
 - b. \$1.00 for each additional 15 minutes at the airport
- (iv) Class IV Vehicles (maximum carrying capacity of up to 55 passengers):
 - a. \$5.00 for the first 30 minutes at the airport
 - b. \$2.50 for each additional 10 minutes at the airport

(e) *Automated Vehicle Identification (AVI) Tag Fee.*

- (1) Commercial ground transportation operators must affix an AVI Tag to each vehicle operating at the airport in order to record the number of trips taken by commercial ground transportation operators at the airport.
- (2) The fee for an AVI Tag shall be \$50.00.
- (3) The AVI Tag replacement fee shall be \$75.00.

(f) *Group Permit Fee.*

- (1) All destination management companies requesting a group permit shall pay \$150 per each group permit request per day. Group Permits are only valid for six (6) hours with subsequent renewals each day.
- (2) All Airport permitted ground transportation charter operators requesting a group permit shall pay \$50 per each group permit request per. Group Permits are only valid for six (6) hours with subsequent renewals each day.

SECTION 3: That all existing Ordinances or parts of Ordinances in conflict herewith shall be waived to the extent of the conflict.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview:

Caption:

Council Meeting Date:

Requesting Dept.:

FAC Confirmed by:

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The Airport currently charges the lowest ground transportation fees in the country and ranks last among peer airports surveyed in terms of average annual revenue of \$1,000,000 against operating expenses of \$2,500,000 annually; a figure that does not cover the Airport's operating cost for ground transportation services. A new automated vehicle identification (AVI) system has been installed as part of the Parking Revenue Control System. This new AVI system will facilitate a reliable and secured method of collecting and reconciling all ground transportation access fees to ensure accuracy in cost recovery. Furthermore, the system will allow the DOA to monitor the ground transportation operational performance against real time data.

2. Please provide background information regarding this legislation.

The Airport is working on a multi-billion dollar expansion project, which includes a International Terminal, and the expansion of the Central Passenger Terminal Complex. The Airpor's dramatic expansion will increase its capacity and efficiency and require greater operational flexibility in order to meet the growing and evolving needs of the traveling public. The current ground transportation fees have not been adjusted in more than 20 (twenty) years and does not cover the operation cost that would give us greater flexibility in meeting the dynamic needs of the traveling public who utilizes the airport's ground transportation services.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) Source Selection:

(c) Bids/Proposals Due:

(d) Invitations Issued:

(e) Number of Bids:

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center (Ex. Name and number):

Fund: _____ Account: _____ Center: _____

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact:

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery:

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By:

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

Dept.'s Legislative Liaison: Anita Williams

Contact Number: 404-530-6600

Originating Department: Aviation

Committee(s) of Purview: Transportation

Chief of Staff Deadline: 06/29/10

Anticipated Committee Meeting Date(s): 07/14/10

Anticipated Full Council Date: 07/19/10

Legislative Counsel's Signature: Mariangela Corales

Commissioner Signature: [Signature]

CAPTION

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE III, DIVISION 7, OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, ON BEHALF OF THE DEPARTMENT OF AVIATION GROUND TRANSPORTATION DIVISION, FOR THE PURPOSE OF RESTRUCTURING AND INCREASING THE FEES THE CITY ASSESSES THE AIRPORT'S COMMERCIAL GROUND TRANSPORTATION OPERATORS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any)

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 7.15.10 Reviewed by: [Signature]
(date) (date)

Submitted to Council: _____
(date)